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## INTRODUCTION.

One who writes of the events of only fifty years ago must needs be careful not only to do justice to the dead, but to be considerate of the feelings of the living. What may be read on the following pages has not, I trust, been written prematurely. Most of the names found there are of men who deserve honor. Among these I enroll one who might otherwise seem to be mentioned with somewhat of reproach, John Hawkins Rountree. We can not blame him for being, in his early life, involved to some extent, in the system of slavery, and we rightly give him credit for his later alliance with the anti-slavery cause which, doubtless, he had been taught to look upon with suspicion and dislike.

Moreover, we need to remember that as the opinions and practice even of good men have, within a hundred years, undergone a change in regard to lotteries, so, within half that time, there has been wrought a moral revolution on the subject of slavery. The act emancipating slaves in the British colonies bears the signature of the predecessor of Queen Victoria. We notice with shame that the bench of bishops in the House of Lords voted almost to a man against this measure, just as the same ecclesiastical body voted against the Quaker Clarkson's bill to prohibit the African slave-trade. And yet these gentlemen held what, in the opinion of sundry people, is so high a prerogative that save for the kindly rendered service of those who possess it, the Lord himself would find it impossible, without something in the nature of semi-miraculous intervention, to continue here on earth His true church! And in 1851, Moses Stuart of Andover, who introduced into America the broad-minded methods of German biblical scholarship, published an essay that was virtually a defense of Southern slavery.

As what is now Wisconsin was once a part of the political unit that extended from the Mississippi eastward to Pennsylvania and Virginia—that is, of the Old Northwest Territory—there is abundant reason for the reference to the Ordinance of 1787. Among its practical effects, not commonly noted, was, probably, the exodus of the French slaveholders from Kaskaskia and vicinity to Missouri,—to St. Genevieve,—whence Governor Dodge and General Jones brought slaves to what is now Wisconsin. Good was it for Illinois that she was rid, for the most part, of slaveholding by the French before Reynolds and his ilk began demanding, in the name of the Ameri-



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INTRODUCTION.

can settlers, the establishment there of the hateful system. It is well, perhaps, for our honor as a nation that the validity of the Great Ordinance was settled in the court of the people, and not tested by the pleas and proceedings of legal formalists. For such trial, had it come at all, must needs have taken place at a time when the degrading influence of slavery was making itself felt upon the constitutions even of the older states. When there were but sixteen states in the Union, every one of them except South Carolina, extended to negroes, as to whites, under certain conditions, the right of suffrage. When, just before the late war began, there were thirty-five states, colored men could vote, on terms of equality with whites, only in New England. And even there, Connecticut had followed the bad example of the majority of the states. In New York colored men could vote if possessed of property valued at not less than \$250, and in Ohio mulattoes voted under a judicial decision that they were as much white men as they were negroes.

Notwithstanding the single attempt to tolerate slavery in Ohio, and the desire of Indiana to be clothed upon with shame, the struggle to protect and establish slavery in Illinois and what is recorded in this little monograph, yet from the high viewpoint of the supreme law, it remains true as stated so eloquently by Senator Hoar at the Marietta centennial: "Here was the first human government under which absolute civil and religious liberty has always prevailed. Here no witch was ever hanged or burned. When older states or nations, where the chains of human bondage have been broken, shall utter the proud boast, 'With a great price I obtained this freedom,' each sister of this imperial group. Ohio, Indiana, Illinois, Michigan and Wisconsin, may lift up her queenly head with the yet prouder answer, 'But I was free born.'"

Two Rivers, Wisconsin,  
1896, May 21.



## NEGRO SLAVERY IN WISCONSIN.

The colonial structure reared by the French in North America may be described, at its greatest, as a vast arch with one abutment resting on the Gulf of St. Lawrence, the other on the Gulf of Mexico. Of this arch, the region between Lake Michigan and the Mississippi formed the keystone. Here the early traders found scarcely a break in that intra-continental water-course whose length equals the distance from Europe to America. Here some one—and I believe it was the Frenchmen who made the "voyage" of 1634-36: men unknown unless we may identify them, as I believe we may safely do, with Radisson and Groseilliers,—discovered the Upper Mississippi. The real discovery, however, was that of Wisconsin. Once on that stream, the explorer was really on part of the "everywhere river,"—for so, I believe, it is safe to render the Indian term that we, with a superfluity of sibilants, write Mississippi,—and there he would need no other guidance than that of its swift current to lead him to the main stream.

The great river that thus bore Canadian explorers and, centuries later, northern soldiers southward was the principal route by which slavery was distributed throughout its own vast valley. On both sides of almost the entire length of the Mississippi, that is, from the Gulf of Mexico nearly to the Falls of St. Anthony, negroes have been held in slavery.<sup>1</sup> Frenchman, Spaniard, Briton and American have all been guilty of this great wrong. Yet there were no negroes in the first settlements made by civilized men beside the great river and its tributaries, for these pioneers came by way of the St. Lawrence and the Lakes. But even before New Orleans was founded, in 1718,

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1. Major [Lawrence] Taliaferro had inherited several slaves, which he used to hire to officers of the garrison. \* \* \* \* In May [1826], Captain [J.] Plympton, of the Fifth infantry, wished to purchase his negro woman Eliza, but he refused, as it was his intention, ultimately, to free his slaves. Another of his negro girls, Harriet, was married at the fort [Snelling], the Major performing the ceremony, to the now historic Dred Scott, who was then a slave of Surgeon Emerson. The only person that ever purchased a slave to retain in slavery, was Alexis Bailly [himself partly of Indian blood], who bought a man of Major Garland. The Sioux, at first, had no prejudices against negroes. They called them "Black Frenchmen," and placing their hands on their woolly heads would laugh heartily.—"Explorers and Pioneers of Minnesota," by Edward D. Neill.

there had begun in the new French settlements on the Gulf coast, and so in the great realm to which the Mississippi is the natural entrance and outlet, a sad history whose last pages were to be written in the blood of the fathers and elder brothers of the men of this generation. D'Iberville, when on his expedition "to plant a colony on the Mississippi,"<sup>2</sup> made a stop at San Domingo. There he "took on board M. de Grave, a famous bucaneer, who some years before had surprised and pillaged the town of Vera Cruz." San Domingo in later years furnished slaves to the new colony, and I think it more than possible that some were brought on this first voyage of D'Iberville's. However that may be, there were in the colony, in May, 1713, "four hundred persons, including twenty negroes."<sup>3</sup> Then it was that Cadillac, the founder, in July or August, 1701, of Detroit, arrived in the new colony to serve as governor general. The entire province, including all the region "between Carolina on the east and Old and New Mexico on the west," had, by royal decree dated 14th September, 1712, been transferred, as far as commercial, mining and certain other privileges were concerned, to Sieur Antoine Crozat. Permission was granted him, "if he find it proper to have blacks in the said country of the Illinois," to "send a ship every year to trade for them directly upon the coast of Guinea, taking permission from the Guinea company to do so." But "before Crozat's plans were fairly organized, the operations of the treaty of Utrecht debarred him from the importation of Africans. Its provisions had, in fact, transferred the control of the slave trade to England, a plan far-reaching enough to make the mother country responsible for the long bondage of the negro in America."

Nevertheless it must be said that though Crozat's plans in regard to the importation of negroes from Africa were defeated, it must have been for reasons that do not appear in the treaty, for designs of the same sort were successfully carried out by the many-named company of which John Law was, at first, the controlling spirit. "On the 6th of June," 1719, two vessels "arrived from the coast of Guinea with five hundred negroes. \* \* In the beginning of" July, 1720, "the ship l'Hercule, sixteen guns, arrived at Dauphin [Ship] Island from Guinea, with a cargo of negroes for the colony. \* \* On the 17th [of March, 1721], the frigate l'Africain arrived with one hundred and eighty negroes, being the remains of two hundred eighty which had embarked on board in Africa. On the 23d, le Duc du Maine, thirty-six guns, arrived with three hundred and ninety-four negroes, being the remains of four hundred and fifty-three who had

2. The colony, however, was not planted on the Mississippi but at Biloxi.

3. La Harpe's "Establishment of the French in Louisiana," French's "Historical Collections of Louisiana," Part III., p. 39.

sailed from Africa about the same time. On the 4th of April, M. Berranger was sent to Cape Francais to purchase corn for the negroes, who were dying with hunger at Biloxi (Fort Louis). \* \* On the 20th, the frigate *la Nereide* \* \* arrived with two hundred and ninety-four negroes, being the remains of three hundred and fifty which had been put on board.<sup>4</sup> He reported that the frigate *le Charles*, with a cargo of negroes, had been burnt at sea within sixty miles of the coast." We need not continue the dismal story—told by Benard de La Harpe—any farther to be reminded of the fact that the monopoly granted to England by the 12th article of the treaty of Utrecht related to Spanish and not to French America.

The royal proclamation creating Law's company gravely states that "in the settlement of the lands granted to the said company by these present letters, we have chiefly in view the glory of God, by procuring the salvation of the savage Indian and Negro inhabitants whom we wish to be instructed in the true religion." Perhaps this explains the seeming absurdity of beginning a decree (issued in 1724) regulating slavery with the command: "We enjoin the directors general of said company, and all our officers, to remove from said country [of Louisiana] all the Jews who may have taken up their abode there—the departure of whom, as declared enemies of the Christian name, we command within three months, including the day when these presents are published, under pain of forfeiture of their bodies and estates." With the exception of this first article and a part of Article III.,<sup>5</sup> the decree is devoted to slavery, and the treatment of slaves and other negroes. In regard to these matters the decree is quite as humane as we could expect. I fear that later slave codes would suffer in comparison. To be sure, the slave who ran away for the second time might be "hamstrung" and for the third offense of the sort be put to death. "A slave who, having struck his master, his mistress, or the husband of his mistress, or their children, shall

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4. The official estimate [of the population of Louisiana] in 1721, was 5,420, of whom six hundred were negroes.—Winsor, Vol. V., p. 49.

5. "We prohibit any other religious rites than those of the Apostolic Roman Catholic church; requiring that those who violate this shall be punished as rebels disobedient to our commands." In mournful accord with this is a remark of La Harpe's. He has been speaking of the English ship found by Bienville in the Mississippi, 1699, September 16th. "On board of this vessel," he says, "was M. Secon, a French engineer, who gave secretly to M. Bienville a petition addressed to the king, professing to his majesty that if he would grant religious liberty to the colony, he would settle more than four hundred families on the Mississippi. This petition was forwarded to the minister, M. de Ponchartrain, who replied that the king would not suffer heretics to go from his kingdom for the purpose of forming a colony." In contrast with this unhappy policy we notice the fact that non-adherents of the church of England have been the very backbone and strength of the British colonies.

have produced a bruise, or the shedding of blood in the face, shall suffer capital punishment." But slavery must needs be cruel. "The power of the master must be absolute to render the submission of the slave perfect."<sup>6</sup>

Whatever else, under the decree of 1724, might be done or left undone, we may be sure that slavery would spread as widely as seemed advantageous to the slaveholders.<sup>7</sup> For herein is the economic danger of slavery, as in the making and selling of intoxicants, that what is most hurtful to the community as a whole is immediately profitable to individuals. Accordingly, we are not surprised to learn that slavery was firmly established, under French authority, in the Illinois country. In 1721, according to Winsor, perhaps, however, in 1726, Phillippe Francois Renault brought to Kaskaskia, or at least to the region above the confluence of the Ohio and the Mississippi; "some two hundred miners and five hundred slaves." In 1750 a Jesuit missionary, probably Father Vivier, quoted by Chief Justice Sidney Breese, found eleven hundred whites and three hundred blacks in five Illinois villages. When, in October, 1765, the British, under Thomas Stirling, afterward general and knight, came to the Illinois country to take possession there according to the treaty of Paris, 1763, February 10th, the non-Indian population, estimated at five thousand, included, perhaps, five hundred slaves. Whatever the number, it was soon reduced by emigration into the Spanish country across the Mississippi. Thus it was that St. Genevieve, Missouri's oldest town, became a place of relative importance. And it was from St. Genevieve, in later years, that there came part of the blot of slavery as we find it on early pages of Wisconsin's history.

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6. Decision of Chief Justice Thomas Ruffin of North Carolina, as quoted by Mrs. Stowe in "Dred." Too well, it would seem, had North Carolina learned the lesson taught by the slave code of 1741, under which, according to report of cases in a late number of the "Green Bag" two negroes were burned to death for murder. This shameless code of North Carolina also had its burlesque on religion: "Negro slaves were not allowed to raise horses, cattle or hogs"; and if any stock of this kind was found in their possession six months after the passage of the act, such animals "were to be seized by the sheriff of the county, and sold by the church wardens of the parish. The profits arising from such sales went, one-half to the parish, the other half to the informer." I quote from Williams's "History of the Negro Race in America," Vol. I., page 304. See also appendix.

7. "By some their employment [that of negro slaves] was viewed with alarm, because it was thought the blacks would soon outnumber the whites, and might some day rise and overpower them; but we find only the feeblest protest entered against the moral wrong of slavery in any record of the time."—Drake's "Making of the Great West," p. 127.

This statement does apply to the British colonies, at least to those of the North. For at a very early time the Quakers bore testimony against slavery, and in 1700 the Puritan jurist, Samuel Sewall advocated the rights of negroes in his "Selling of Joseph," and expressed his opinion that there would "be no progress in gospelling" until slavery was abolished.

French emigration from the Illinois country continued until Kaskaskia, which once contained a population stated vaguely as being two or three thousand, and which had been made in 1721 the seat of a Jesuit college, became reduced to a hamlet of forty-five families. To these trans-Mississippi emigrants it was no doubt a grief and humiliation that their mother country had ceded her possessions on the west bank of the great river to Spain. But of the alternatives, they preferred the rule of his Catholic majesty to the sovereignty of Great Britain. Fortunately for Illinois, unfortunately for Missouri, they took with them their slaves. For this migration, in its later years, the Ordinance of 1787 was, no doubt, partly responsible. But the beginning of it was not due to any interference of the British with the system of negro slavery. Nor did the conquest by George Rogers Clark of this mesopotamia of the Ohio and the Mississippi make, in this respect, any difference. Indeed, there is no worse record in American history than one that slavery then made not only possible but actual, and the man from whose note-book we have the story is no other than the granduncle of Mary Todd<sup>8</sup>, the woman who became the wife of Abraham Lincoln. By appointment (dated at Williamsburg, 1778, December 12th) of Governor Patrick Henry of Virginia, John Todd was made "commandant of the country of Illinois." In his note-book is to be found the subjoined order:

"Illinois, to-wit: To Richard Winston, Esq., Sheriff in chief of the District of Kaskaskia:

"Negro Manuel, a Slave in your custody, is condemned by the Court of Kaskaskia, after having made honorable Fine at the Door of the Church to be chained to a post at the Water Side and there to be burnt alive and his ashes scattered, as appears to me by the Record. This sentence you are hereby required to put into execution on tuesday next at 9 o'clock in the morning, and this shall be your warrant. Given under my hand and seal at Kaskaskia, the 13th day of June, in the third year of the commonwealth."

An unknown pen has drawn black lines in Colonel Todd's note-book across the record as found above. From this circumstance some have been inclined to believe, perhaps because they wished to believe, that the sentence was never actually carried out. But in the opinion of Edward G. Mason, Esq., of Chicago, who has carefully studied this subject, "it is probable that the sentence was actually executed."

"To make honorable Fine at the Door of the Church" is a puzzling expression to most of us. Under date of 1894, February 12th, Bishop S. J. Messmer, of Green Bay, wrote me: "I have asked

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8. Child of Robert S., he of Levi, brother of John.



different gentlemen about it. They all agree that it is only a bad literal translation of the French '*faire une amende honorable*,' which means to make proper amends for an injustice or wrong. As to the custom mentioned in your reference, you will get an idea of it by referring to Webster's Dictionary under the word *amende*." From a quotation in the Century Dictionary we learn that it was "a most ignominious punishment inflicted upon an extreme offender, who must go through the streets barefoot and bareheaded (with a burning link in his hand) unto the seat of justice, or some such public place, and there confess his offence, and ask forgiveness of the party he hath wronged."

Bishop Messimer adds: "Why Webster should call it an 'infamous' punishment, I can not understand, except it be in the same sense as the legal phrase *poena infamis*, a punishment for a crime which renders the culprit legally infamous, i. e., deprives him of his civil rights."

However, the punishment, as described above and by Webster, would seem to be infamous enough. And thus, very possibly, it was that the poor victim at Kaskaskia paid part of the penalty of his imaginary offense little more than a hundred years ago.

"The third year of the commonwealth" was, of course, the one ending July 4th, 1779. On June 15th of that year another order was given by Todd in regard to the execution of a sentence of death for alleged witchcraft, this time in the case of "Moreau, a slave condemned to execution," doubtless for the same offense: voodooism, or witchcraft. To this unhappy victim was given the more merciful death of hanging. Is he not the last, in any Christian nation of the world, legally to suffer death for his imagined offense?

What makes this matter of special interest to us who dwell in Wisconsin is the fact that what was then law in the Illinois country was law here also. For all the region that subsequently became the old Northwest Territory was annexed, 1774, by "14 Geo. III., cap 83" to the province of Quebec. By this enactment there was stifled the feeling, if such existed, that might have led Canada to join the colonies then about to revolt. For it restored to the clergy of the dominant church "the Dues and Rights," as related to members of their own communion, that they enjoyed when under the sovereignty of the Bourbons. "Out of the rest of said accustomed Dues and Rights" provision might be made for the "Encouragement of the Protestant Religion, and for the Maintenance and Support of a Protestant Clergy," that is, of course, the church of England and clergy belonging to it, with possibly a bone or two thrown, if expedient, to trans-Atlantic ministers of the church of Scotland.

The clergy of at least two influential sects being thus appeased, claimants of land under French grants, and of seigneurial (and perhaps other) titles and privileges must also be placated. For among them, as well as among the clergy, there had been uneasiness ever since their country had passed under British sovereignty. The king's proclamation, issued in the time of victory, and bearing date of 1763, October 7th, made no special provision for them any more than for the clergy. Now it was enacted "that all his Majesty's Canadian Subjects within the Province of Quebec, the religious Orders and Communities only excepted, may also hold and enjoy their Property and Possessions, together with all Customs and Usages relative thereto, and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the said Proclamation \* \* had not been made, and as may consist with their Allegiance to his Majesty, and subjection to the Crown and Parliament of Great Britain; and that in all Matters of Controversy, relative to Property and Civil Rights, Resort shall be had to the Laws of Canada, as the Rule for the Decision of the same."

Among these "possessions" were, as we have seen, negro slaves. We find evidence that there had been one of these at Green Bay years before this country had ceased to be part of New France. Whenever it was that De Veile [Neyon De Villiers?], the French commandant at La Baye, murdered in his drunkenness and rage three Sauk chiefs, he had with him a negro servant, presumably a slave. This must have been before 1746. Upon the surrender of Canada to the British, Marquis de Vaudreuil, the French governor, wrote to Charles de Langlade, of La Baye, 1760, September 9th, that by the articles of capitulation the people of the Northwestern settlements "may keep their negro and Pawnee<sup>9</sup> slaves," except, adds Dr. Draper, from whom I copy this note, "such slaves as they may have captured from the British." It does not need this last reference to remind us that negro slavery was tolerated and encouraged in the colonies of Britain as well as in those of France.

We are now prepared to continue our study of the legal and social condition of this Ohio-Mississippi-and-Great-Lake region after its conquest by George Rogers Clark. As to population, it was Indian, half-breed, French and negro. It was a conquered portion of

9. "The Western Indians were slaveholders. They followed the ancient and honorable custom of selling captives taken in war into slavery, often as the alternative of putting them to death; and among their best customers, from the early days of French colonization, were the white men, who often bought, it must be added, as acts of humanity. So many of these red slaves belonged to a single tribe that Pawnee, or 'Pani' as the French wrote it, came to be the common word for slave irrespective of race, thus repeating the history of the word 'Slav' itself."—Hinsdale's "The Old Northwest," p. 348.

the province of Quebec. The conquest had been made by soldiers, and under the authority, of Virginia. The Revolutionary war was not at an end. Prudence demanded of the conquerors that they make as few changes as possible. They had reason, moreover, to be grateful, for, in some cases, they found a people ready for voluntary transfer of allegiance from his Britannic majesty to the nascent republic of the United States. "The Kaskaskians," says Moses M. Strong, "assisted in securing the submission of their neighbors at Cahokia." M. Gibault, priest at Kaskaskia, voluntarily undertook the task of persuading the inhabitants of Vincennes to take the oath of allegiance to Virginia. In this he was successful. To permit to such a people as large a measure as possible of local self-government was certainly policy.

But now the question arises, Under what authority did the Kaskaskia court suppose itself to be acting when it sentenced the "Negro Manuel" to be burned to death? Whatever we may think of the Quebec act,—from which I have quoted by its number and by the year of the reign in which it was passed; an act which our Revolutionary forefathers disliked so much that it is specifically referred to in the Declaration of Independence as one of the causes justifying separation from the mother country,—whatever, I say, we may think of said act, it did not revive or restore French criminal law. On the contrary, it expressly provided that "the Criminal Law of England \* \* shall continue to be administered and to be observed as Law in the Province of Quebec \* \* to the Exclusion of every other Rule of Criminal Law." And though statutes against witchcraft as such, and not as a mere means of fraud or of imposition upon the ignorant, continued in force in Ireland until 1821, yet the last of such laws had been repealed in England in 1736. Moreover, the law in France against witchcraft, though it kept its place in legal works until the middle of the eighteenth century, must, by that time, or before it, have been practically annulled; that is, before the enforced separation of Louisiana and Canada from the mother country. Yet it is probable that under the old law against sorcery, then inoperative in France itself, there was had the legal conviction of the slaves Manuel and Moreau. Otherwise the law must have been purely local: one framed, perhaps, for the occasion. Then the question arises, What legislative body was there competent to make such an enactment? But, to an alarmed community, fear sometimes takes the place of law. Yet if this was madness there was method in it.

Whatever we may think of Todd's responsibility in connection with this matter, it would be unjust to him not to remember that he was an emancipationist, as is shown by a bill that he introduced into the Virginia legislature. This native of Pennsylvania allied himself,

it would seem, in his adopted state, not with that class of men who would have thought it no particular concern of theirs if Frenchmen of Kaskaskia wanted to burn or hang a few of their niggers, but with the opponents of slavery; men like Washington, George Mason and Edward Coles. This last is a name to which, in connection with our subject, we should give especial honor. For he it was who, having made Illinois his home, led to victory the men who preserved and made effective there the prohibition of slavery instituted by the great Ordinance of 1787. With sorrow and shame, in these better days, we learn that Governor Coles, for this great good he wrought for Illinois, was fairly driven from the state. Two Virginias there were in those days, each of which had, in this vast interior, a potent influence. One we honor as the mother of Presidents, the other was willing to become, and did become, the mother of slaves.

While this Wisconsin region was in that chaotic state when by treaty it was in possession of the Americans, by trade in that of the British, and by actual occupancy in that of French Canadians and Indians, there was at least one case of negro slavery at Green Bay. Augustus Grignon thus tells the story:

"It has already been related that Captain De Veile, who was early killed by the Sauks at Green Bay, had a negro servant who, I presume, was a slave. I know of but one other African slave at Green Bay, and he was a mere lad, not over half a dozen years of age, when purchased by Baptiste Brunet of one Masshasho, a St. Louis Indian trader, giving one hundred dollars for him. The boy was probably at times very provoking, but Mr. Brunet was inexcusably severe in punishing him; he had a staple overhead in his house, to which he would tie the boy's hands and then whip him without mercy. Thus things went on for about eight years, till about 1807, when Mr. Campbell,<sup>10</sup> who had been a trader among the Sioux, was appointed the first American Indian agent at Prairie du Chien, and who in some way heard of Brunet's cruelty, came and took the negro away. What was further done with him I do not know."

But far more important, even to our narrative anent Wisconsin, than the holding, during this period, of a single slave at Green Bay, was the passage of the famous Ordinance of 1787. Back of this great measure was a great movement and a great man. The movement was the transplanting of a part of Massachusetts—for it is men that constitute a state—to what was soon to be Ohio. The man was Manasseh Cutler, *nomen venerabile et clarum*. Few names in history are as great as this, and none more spotless. It is the mark of a

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10. Probably this was Colin Campbell who did service as interpreter, in 1820, for Agent Talliaferro at Fort Snelling. See "Explorers and Pioneers of Minnesota."

comprehensive mind to possess varied abilities; Manasseh Cutler was man of business, lawyer, clergyman and physician. In this last capacity and as chaplain he served in the Revolutionary army. Akin to the spirit that made him a soldier was the impulse that sent him, in 1784, to the White mountains where, as one of the first party of non-Indian explorers, he ascended Mount Washington. He was mathematician enough to make astronomical calculations that, at the time they were made, had not been surpassed in America. In botany, he was the second writer that this country produced, and the first to attempt a scientific description of the plants of New England. He was the author of "Meteorological Observations, 1781, '82, '83." In reasonable probability he was one of the first to appreciate the possibilities of the steamboat, even in its crude form as invented by John Fitch twenty-one years before Fulton's Clermont made her famous first trip up the Hudson. McMaster tells of Dr. Cutler's part in the making of a true screw-propeller. That was at Marietta, the Plymouth of this newer New England that is the Old Northwest.

This is the region whose adherence to the East and North made impossible the fulfilment of the plan so often suggested before 1861 of a Southern and Western confederacy. The affiliation of this section with the North was because both were anti-slavery, and this, in great part, was brought about by the Ordinance of 1787. With this proposed measure the last Congress of the Confederation—a different institution from the Continental Congress—had been wrestling; and the proposal to forbid slavery—brought forward by Nathan Dane at the second reading of the Ordinance—seemed doomed to defeat. Then it was that Manasseh Cutler did a service that entitles him to rank with the greatest of statesmen. As agent of the Ohio company and so a possible purchaser of land that Congress desired to sell, and as one of the founders of a proposed settlement that the whole country needed for its enlargement, unity and defense, he was in a position to insist, and did insist, on the proposed amendment. Doubtless the whole Ordinance passed under his attentive eyes, and almost certainly received from his pen changes that contributed to the high rank it has taken among the state papers of the world. His, probably, is the noble declaration: "Religion, morality and knowledge being necessary to the good government and happiness of mankind, schools and the means of education shall forever be encouraged." Without a gift of land for the support of a university in Ohio he would not buy land there for the colony that he and his associates proposed to found. He drew up a plan for the establishment and government of such a university, and thus became the father of an important part of the educational system of these northern states of the Interior.



"Copied in succeeding acts for the organization of Territories," says Alexander Johnson, "and still controlling the spirit of such acts, the Ordinance of 1787 is the foundation of almost everything which makes the American system peculiar." This Ordinance abolished primogeniture and entail. It secured equal rights of inheritance. It made possible the Emancipation Proclamation and, in 1865, what is substantially its sixth article appears as the thirteenth amendment to the constitution of the United States. In it was in embryo the constitution of Wisconsin, and the anti-slavery clause thereof is a transcript of that found in the ordinance. Thus it is that Manasseh Cutler stands eminently and honorably related to the history of Wisconsin, and especially to the subject of this narrative.

We must not make the mistake of thinking that the choice of position for this New England and anti-slavery colony was a matter of small importance. It was not on Lake Erie, but on the Ohio, where it confronted slave soil and made it certain that one of the banks of the "beautiful river" should be free. I do not know that Dr. Cutler had anything to do with the choice of position, though it is probable that he had. He must have known of the danger, then felt by Washington and others to be real and great, that the existing trans-Alleghany settlements might attempt to found a republic of their own. There were existent the conditions that, at a later time, made Burr's movement so dangerous.<sup>11</sup> Marietta became a strong link in the chain that bound the new states of the Interior to those of the Atlantic Coast. It may be that this region of the Ohio and the Great Lakes has been twice saved to our national Union, and it has certainly helped to make that Union worth saving.

So great was Dr. Cutler's part in founding the new commonwealth of Ohio that "The Nation" has said: "Manasseh Cutler is entitled to rank with Bradford, Winthrop, Penn, Calvert and Oglethorpe as the founder of a state."<sup>12</sup>

And yet this Calvinistic clergyman of the eighteenth century was free from the common clerical fault of trying to extend special privileges to churches of his own communion. Coming from a state where Congregationalism was the "standing order," that is, a quasi establishment, he preached in the new colony in favor of the separation of church and state. He recognized frankly the defects as well

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11. It brings this movement of Burr's somewhat closer to the thought of dwellers in Wisconsin to know that, for being suspected of complicity in it, Henry Dodge, our first Territorial governor, was indicted for treason. Of this offense he was innocent. But he would probably have been perfectly willing to acknowledge, out of court, a readiness to join a filibustering party against the Spaniards who then ruled Mexico.

12. Yet it is noteworthy that, as member of the House of Representatives, he voted against the admission of the state that he helped to found.

as the excellencies of the older Puritanism. And there are those who will think it not the least of his claims to honorable remembrance that though he served in the Massachusetts legislature, was twice elected to Congress, and was offered a judge's commission by Washington, yet he continued faithful to the duty of Christian bishop, serving in that capacity, for fifty-two years, the humble parish which first called him to that high office.

To preserve intact the work of Manasseh Cutler, as wrought into the great Ordinance, there was here in Wisconsin no struggle, as in Ohio, Indiana and Illinois. And yet the element that strove there for the legal right to bring upon those great states the shame and hurt of negro slavery was represented here also. It can not be made too clear that Wisconsin was settled by two currents of emigration, different in origin, in route hither and in place of settlement. The later, and, ultimately, the larger of the two has small but most honorable place in our narrative.<sup>13</sup> It came from New England, New York and northern Ohio, and, so far as I know, brought with it not one slave. Thus were formed the early American settlements in eastern Wisconsin, or, as it was at first, Michigan-west-of-the-lake.

In the southwestern part of what has become Wisconsin, matters were different. Here is our part of the lead region, united by the Mississippi to Missouri and the South. From these sources, and by this route, came the first of the two great currents of Wisconsin-ward migration. With it were brought some slaves. There are those who will remember that, at an early day, perhaps 1822, James Johnson brought to the lead region from Kentucky a number of negro slaves. We do not know that any of these ever set foot upon any part of what is now Wisconsin, though the places where they worked are almost on our southern boundary line. We may here allude to the statement of Governor John Reynolds—in partial accord with one on the same subject already quoted from Winsor—that "the first importation of slaves was one of five hundred made from San Domingo in 1726, by Philip Renault to work the mines." If those of the "Mine river"<sup>14</sup> were in Renault's plan, I know of not the least

13. The writer ventures to put here the last paragraph of his first paper on the subject of this monograph (Proceedings of the Wisconsin State Historical Society, 1892):

"The second of the two great streams of immigration hither came by way of the two Great Lakes, and for the most part from New England and New York. It was distinctly anti-slavery in sentiment. Among the men who formed part of this movement were many who in later years resisted manfully the abominable fugitive slave law. But against human slavery itself, and its more immediate effects, the abolitionists who came hither from the South, made, here and elsewhere, an earlier fight, and against greater odds won victory."

14. The name given by Le Sueur to what we call the Fevre or Galena river. To this stream he came, apparently on the 25th of August, 1700. According to

evidence that any of the five hundred negroes were ever brought thither. And certainly, as we have already learned, this importation of slaves was not the first unless Reynolds has reference merely to the Illinois country. So we dismiss this matter, close the page of a hundred and seventy years gone by, and seek information from those whom the fathers of Wisconsin knew as contemporaries. Some of them yet abide with us.

Few in number and venerable in years are the men whose living lips can tell from personal knowledge any part of the story of negro slavery in Wisconsin. How many there are I do not know; with three I have conversed on this subject: John Meyers, of Platteville; ex-Judge Joseph Trotter Mills, for many years a resident of Lancaster, now of Manitowoc; and George Wallace Jones, of Dubuque, Iowa. With two others now numbered with the dead I have had personal communication: with Jeremiah Porter, D. D., of Beloit, by word of mouth; and by correspondence with Rev. Isaac Erving Heaton, whose first Western home was at (old) Belmont, in the Territory of Wisconsin. It was Mr. Heaton, if I remember rightly, whose statements led me to make investigation until I found that slaves had been held within sight of the little red farm-house that was my boyhood home. He who once owned them I have already named: George Wallace Jones. The place where they were held was Sinsinawa Mound, whose crest of Niagara limestone, like the summits of the Platte Mounds and the Blue, testify to the unmeasured age of "this old, old land that men call new," and tell on pages of rock the story of the denudation of the region around them.

These "mounds"—for one who was brought up in sight of them can not be expected to violate fixed local usage out of deference to the Century dictionary or Webster's International—naturally attracted the attention of the first settlers, as they had that of the explorers of this region. Sinsinawa Mound is part of the preemption claim that was the first to be proved in the Mineral Point land-office when it was opened, 1836, August 1st. If it be asked, How could this entry of ore-bearing land have been made at that time? there are three possible answers. General Jones thinks that the act reserving such lands had not been passed when he made his claim. Or the land may have been regarded as agricultural, not ore-bearing. The third possibility is that the registrar of the land-office may have been quite willing to make friends of the settlers by neglecting to make proper inquiries in the interest of the government.

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Benard de La Harpe (French's Historical Collections of Louisiana, part III., p. 23) he reported that on the right of this stream, "seven leagues inland, is a lead mine." That distance would have brought him into Wisconsin. But probably the mine that he heard of was nearer the Mississippi. "On the 1st of September, he passed the Wisconsin river, which is about half a league wide at its mouth."

A severe illness in the spring of 1827 brought General Jones, under advice of Doctor, afterwards United States Senator, Lewis Fields Linn from St. Genevieve, Missouri, to what is now Wisconsin. Here from 1828 until 1844 he made his legal residence at Sinsinawa Mound. Thither it was, as I have said, that he brought slaves, "a dozen or fifteen," according to his own recollection. Ten is the number of his "family" as reported in the Territorial census of 1836. Others reported slaves that year; he did not. Yet some of the ten, it is almost certain, were negroes who had not then asserted their legal right to freedom. This was done by one of Jones's quasi slaves in 1838. Some account of the case I have had from the old gentleman himself, Judge Mills remembers it and, in the "History of Grant County," the story is told by Free Williams,<sup>15</sup> foreman of the jury, who was unfortunate enough to find himself compelled to serve with eleven ignorant and obstinate associates. General Jones gave me the names of the attorneys: Thomas P. Burnett and James Wilson for the negro; Frank Dunn and Charles Hempstead for himself. My notes, imperfectly made, lead me to think that with Dunn and Hempstead—the latter of Galena—was associated a third lawyer, W. H. Banks of Mineral Point. According to General Jones's recollection, the judge charged the jury that the negro's legal status was determined by the statute of the state whence he had been brought, and that, consequently, he could not be party to a suit. But such a ruling does not seem to be consistent with the fact that the case was given to a jury. Whatever the charge the foreman says nothing about it. I transcribe part of his narrative:

"Harvey Pepper was sheriff; Judge Dunn was on the bench; I was foreman of the jury; old yellow-black Paul was plaintiff; and Colonel Jones, who went to Congress and perched himself on top of Sinsinawa Mound—he was the defendant. Jones owned Paul down in Kentucky [Missouri], and when Paul got on the Mound he quarreled with his master and became obstreperous, and Jones drove him off. He then went through the country fiddling at what they called 'stag dances.' Females then were very scarce \* \* \* so the boys would dance alone on the sod floor, and Paul would fiddle for his whisky, and when he ran too far out of knees and elbows he would go back to Jones and saw wood, and Jones would supply him with old clothes. After some years Paul concluded, as courts and lawyers

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15. "Who does not know Free?" asks J. W. Seaton in his story of "M. de Tantabaratz and the Deserted Village" (History of Grant County). Mr. Seaton, writing in or about 1880, calls Williams "a living archaeological monument of the mines standing in Ellenboro." Said "monument" needs no other, and probably deserves no better, inscription than one that could be easily composed out of his own narrative, as given above.

had made their appearance, he would sue his old master for wages, and have a final settlement in this free country. We heard the evidence. The yellow darkey hadn't a bit of proof in support of his claim, but eleven of the jurors went in steep for the plaintiff, contending if Paul recovered wages it would make him a free man. I asserted that he was free any way, wages or no wages; that we were bound to go according to law.

"We should have hung there until this time, probably, but for a couple of huge, gray, timber wolves, that old 'Wolf-catcher Graham' had brought into the town plat, securely caged in his wagon. Everybody then attended court, and everybody brought his dogs. The old wolf-catcher set up a loud cry, saying he would let out a wolf against all the dogs in creation, if the people who desired the sport would pay him \$20 each for his wolves, and allow him the scalps. The money was raised quicker than you could count it. We would have almost paid the national debt to see a wolf-fight. The first wolf—and he was an old settler I tell you—was let loose in the yard, right under our window. We ran to it and climbed on each others' shoulders. Such snapping, barking, growling and bristling you never heard or saw.

\* \* \* The revolving mass turned round the corner where we couldn't see them, and then my eleven associates cried: 'For heaven's sake, Free, do agree, so we can get out of this cursed hole and see the fun.' 'Boys,' said I, 'I have been raised with wolves. I won't budge an inch for any arguments that dogs and wolves can furnish.' 'Well, Free, just say that Jones shall pay a dollar, and we will come down to that.' 'Never a cent.' We heard the uproarious laughter and shouts of the outside world. It was too much for the boys. The friends of poor yellow Paul yielded, and cried out 'We agree; write out the verdict, Free.' 'I wrote out the verdict for the defendant; but lo! we were in a worse condition than ever. The judge, sheriff and all hands had gone to the entertainment. No time was to be lost. A chair was picked up, a window smashed, and as Judge Dunn heard the glass come jingling to the ground he screamed: "Pepper! Pepper! let those men out; they will tear down the court house!" These words sounded like the trump of jubilee. We handed our verdict to the sheriff, and rushed down stairs like a flock of frightened sheep when the dogs are after them."

Somewhat more, probably, than a mere question of wages underlay this case. It was very likely a movement on some one's part to secure practical recognition of the legal fact that in Wisconsin there was no such relation as that of master and slave. The status as freemen of his former slaves was fully recognized by General Jones about 1842, according to his own recollection. What practically took place then was very likely but the breaking-up of an establishment that,



for the most part, had been held together by the bonds of kindness and mutual good will.

From Sinsinawa mound, which is only a mile from Illinois and on the dividing line between the towns of Hazel Green and Jamestown, we go northward to Platteville and vicinity. And now we will let Father Heaton tell his story:<sup>16</sup>

"My birth was in Franklin, Massachusetts, October 6, 1808. The Rev. Dr. Emmons was my early pastor. We came to Wisconsin in May, 1837. Rev. Mr. Kent at Galena advised me to engage partly in teaching as that would be appreciated.

"We spent the first summer at Elk Grove, six miles south from (old) Belmont. Two ladies, residing three or four miles distant, in nearly opposite directions, were members of the Methodist church in Platteville. A Mr. Mitchell from Virginia was their minister. He was a man of popular address, but he brought two slave girls with him, and kept them some years, in defiance of the law. When this appeared unsafe, he sent them back to slavery."

Mr. Heaton has here made a slight mistake. James Mitchell, who brought the slaves, did not come to Wisconsin until 1842. Nine years before, his brother John T. had been appointed by the Rock river conference of the Methodist Episcopal church to service at Galena and vicinity. While thus engaged he organized the Methodist church of Platteville. To this place came in 1836 his father, Rev. Samuel Mitchell, a local preacher. He was the Mitchell, almost certainly, who was preaching at Platteville in 1837—though probably merely as helper to the "circuit rider," Rev. John Crummer, then stationed there. Samuel Mitchell has, in connection with slavery, as in other matters, a most honorable history, which came to me as narrated by himself to the late Rev. Philo Sage Bennett of Appleton:

He was sitting one day under a tree, watching his negroes at work, when he happened to think of the Golden Rule. It did not need any difficult reasoning to reach the conclusion that he would not like to be working without wages for a man who himself was doing nothing. Then followed the question, put to himself: But why be so particular about one part of the law of God without obeying in all things? Thus he became, in the evangelical sense of the term, a Christian. "He then emancipated his slaves, and after a while moved to Southern Illinois, taking with him those who were disposed to go, and provided for them homes as far as he could. Thus he showed the thoroughness of his conversion."<sup>17</sup>

In a second letter<sup>18</sup> Father Heaton thus continued his narrative:

16. In a letter dated at Fremont, Nebraska, 1890, March 5th.

17. Bennett's "History of Methodism in Wisconsin," page 32.

18. Dated 1890, March 20th.

"The report of slaves held in Wisconsin is sorrowfully more extensive. I would almost say 'Tell it not in Gath.' As nearly fifty years have passed since I left the Lead Mining Region, I can trust only to memory. More than twenty years ago, while we were absent from home, our house was burned, with all my books and papers.

"I think Mr. Mitchell's first name was James. His sister was the wife of Mr. Rountree in Platteville. Each of these men brought two slaves with him. I have seen them all. In June, 1838, a census was taken preliminary to the separation of Wisconsin and Iowa. One of these men, I think Mr. Rountree, reported his slaves as slaves. I recollect seeing the returns of the census as so printed. As no law authorized holding slaves in Wisconsin, it is possible that no such official record can now be found. The essential facts which I mention may doubtless be verified by inquiries at Platteville and vicinity.

"I have these evidences that Mr. Mitchell sent his slaves back:

"First. This was confidently reported. But I think it occurred after I left that region, probably about 1842.

"Second. I presume it was never disputed. Certainly I never heard of any such pretense.

"Third. The slave dealer to whom Mitchell consigned these slave girls at St. Louis did not forward them to their destination. An anti-slavery paper was published I think at Prairieville (Waukegan), Wisconsin. I can not now recall the name of either the paper or the editor. You can ascertain these. The legal owner of these slaves (I think in Virginia) inserted in a paper (printed I think at St. Louis) an article at some length, explaining the case, and complaining of the fraud. The editor of this anti-slavery paper found this article among his exchanges, and inserted it in his own paper. I read it there. Trusting to memory it included all the essential facts of the case.

"Two other men near Elk Grove kept slaves. One kept a man and woman, I think also he kept a third, but my recollection of the third is indistinct. The other man kept one slave girl. Soon after I left that region it was reported, and I doubt not correctly, that about 1842 they made a visit to Missouri, taking this slave girl with them. They sold her there.

"Still another man residing some twelve miles westerly, or north-westerly from Belmont kept two or three slaves. I have seen them all; nine, or ten, or perhaps eleven in number. Both these men at Elk Grove sent their children to my school."

There can be no doubt whatever as to the sending back of the Mitchell slave girls into legal bondage. In regard to the other case of like sort mentioned by Father Heaton we are not likely to know anything more than the statement he has given us. Judging from all

that I have heard of his character, we could scarcely find a more conscientious and careful witness. Moreover, I found that Mr. John Meyers of Platteville had, when I saw him, vivid remembrance of some of the same facts. He remembered the slave woman—Aunt Rachel he called her—at Major Rountree's. His father, while visiting or calling at Mitchell's saw one of the slave girls there. Mr. Meyers spoke of the storm of indignation roused by Mitchell's act, and of efforts to recover the girls and bring them again to free soil. He mentioned Robert Chapman as especially active in putting forth effort to get the girls back. Certain matters I would mention doubtfully owing to imperfection in my notes. These concern what seems to be a case of kidnapping. James Moore was sent in pursuit of the girls. He was accompanied, apparently, by a negro blacksmith named Buckner. Once on slave soil, Moore took advantage of his opportunity and sold his colored but free companion. These statements I put forth not as affirmations. But I believe Meyers to be a truthful and competent witness. Blind but not gloomy, a member for more than fifty years of the Congregational church of Platteville, he seemed, when I saw him, to be but patiently waiting the great change that is appointed unto all. He had the contract, so he told me, for putting up the original academy building at Platteville, a structure used also as a house of worship by the church of which he was a member.

When Mr. Mitchell's offense was committed he was a member of the Rock River conference of his branch, or order, of the Christian church. As is well known, there was sharp contention for many years in the Methodist Episcopal church on questions that grew out of slavery. Many a Paul withstood to the face an erring Peter, "because he was to be blamed." And the great moral victory won by anti-slavery men within the ecclesiastical domain of Methodism preceded the triumph for which our Union soldiers fought on fields of battle. By whose accusation Mr. Mitchell was brought to trial, I do not know. Moreover, "the testimony in the case does not appear in the record," writes Rev. J. W. Richards, of De Kalb, Illinois, the present secretary of Rock River conference.<sup>19</sup> By his favor, and the kindness of Rev. T. W. North of Menasha, I am able to present the subjoined transcript of the outline of the trial and the findings of the conference:

"Charges preferred against Rev. James Mitchell, a member of Rock River Annual Conference of the Methodist Episcopal Church, at the session held at Canton, Illinois, August 2--11, 1848.

"CHARGE:—Unchristian, Immoral, and Inhuman Conduct.

"First Specification:—In bringing two colored girls from a slave

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19. Under date of 1896, April 25th.

state into free territory in the character of slaves, and retaining them as such while in such free territory.

"Second Specification:—In sending two colored girls, who were free, from free territory back into a slave state, and receiving and using the fruits of their labor.

"Third Specification:—In sending from free territory two colored girls who were free into a slave state as slaves, and leaving them there to be treated as such.

"Fourth Specification:—In sending from free territory two colored girls into a slave state and leaving them there to be treated as slaves, and neglecting to care for them, and permitting them to be reduced again to slavery, or treated as slaves.

"Fifth Specification:—In causing two colored girls to be reduced to a state of involuntary servitude.

"Sixth Specification:—In causing two colored girls to be sent from where they were free into a state of involuntary servitude, and receiving the fruits of their labor, and in declaring, in the spring of 1846, that he would do the same thing under the same circumstances again."

"The record then goes on to say that testimony taken before a committee was read, and papers, marked G, H, K, L, M, N No. 1, N No. 2, B, C, &c., &c., showing quite voluminous testimony, but none of it given, were presented.

"The reading of this testimony and the settling of law questions seem to have occupied the time of the Conference for about four days.

"The record proceeds as follows: The pleadings were closed and, on motion, the Conference resolved to sit with closed doors while making up the decision. Resolved, That probationers be allowed to remain in the house. A motion to take the votes by yeas and nays was lost.

"The first specification was read. Resolved, That the first specification be divided, stopping with the first branch at the word slaves. First branch of the first specification sustained. Second branch, not sustained.

"Second specification read. Resolved to divide the second specification, the first branch stopping at the word states. The following was adopted: Resolved, That the first branch of the second specification is sustained so far as it applies to one of the girls. Vote, thirty-one to twenty-five.

"Second branch of the second specification, not sustained. \* \*

"Third specification. Resolved, That the third specification is sustained so far as it applies to one of the girls. On counting, the vote stood twenty-seven to twenty-five.

"Fourth specification. The same resolution was offered and lost by a vote of twenty-six to twenty-eight. Specification not sustained.

"Fifth specification. Same resolution lost. Not sustained.

"Sixth specification was divided into three branches none of which were sustained. Therefore the sixth specification is not sustained.

"The following question was then put to the chair: When a member of Conference is charged with a crime and the specifications sustained under that charge do not sustain the charge, may the Conference find the accused guilty of such other and less moral obliquity as may be proven by the specifications thus sustained? Answer in the affirmative.

On motion, the main charge, which is as follows, was divided.

"CHARGE: Unchristian, immoral and inhuman conduct.

"First branch, Unchristian conduct, was sustained.

"Second branch, Immoral conduct, not sustained.

"Third branch, Inhuman conduct, not sustained.

"A motion to suspend James Mitchell for one year was offered and lost.

"On motion, the vote by which James Mitchell was found guilty of unchristian conduct was reconsidered. The vote on the charge of unchristian conduct was then taken and the charge sustained, twenty-eight voting in the affirmative and twenty-four in the negative. Conference then resolved that Bro. Mitchell be left without an appointment for one year. Bro. Mitchell notified the Conference that at a proper time he would communicate his wishes in the case, and that he intended taking an appeal to the General Conference.

"Later on in the journal this entry appears:

"Bro. Mitchell made a statement in relation to his case, and the Conference reconsidered the resolution by which the penalty was fixed in his case. The original motion to leave without an appointment was withdrawn and, on motion, the character of Bro. Mitchell passed.

"Bro. Mitchell notified the Conference that for the present he would withdraw his notice of an intention to appeal."

No doubt the victory of the anti-slavery men was more decided than would appear from the record. Brother Mitchell's usefulness in Wisconsin was at an end. Indeed he seems to have been transferred from the Territory in 1844, and never again did he have here a pastoral appointment. Mr. Bennett's History takes final leave of him with the following comment: He "occupied a conspicuous position, and was evidently a man of much ability; but he was quite as distinguished for promoting party strife as for his usefulness."

The old Arab chief who always asked when a case was brought before him, "Where is the woman?" would have been gratified at the



answer in this instance. For, if Mr. Bennett was rightly informed, the slave girls were the property of Mrs. Mitchell and not of her husband.

Next in order, in our narrative, comes Mineral Point. To Florence Elizabeth Baker, of the Historical Library, Madison, we owe the following narrative:

Colonel (?) McKim<sup>20</sup> brought with him from Baltimore, Maryland, two house servants, slaves, known as 'Aunt Dinah' and 'George' McKim. They were on a farm south of Mineral Point, Wisconsin, in 1842, and had been there for two years before that, perhaps. Neither my father nor uncle can say that they were ever formally emancipated. They never heard of it if such is the case, but when Colonel McKim went to New York state to engage in business, a few years later, he left them both. Aunt Dinah went to live with Mrs. Phil Thomas, nee Fanny Brewer, a Southern girl, and stayed there for some time. Mrs. Thomas died about two years after her marriage, and her husband a few years later. Just when Aunt Dinah returned to the "McKim farm" no one here knows, but the last trace of her seems to end at that time. Her son died not many years ago, somewhere near Mineral Point. He used to be fiddler for the dancing parties between 1848 and 1855, and was, at various periods during those years, cook at the Franklin House. In March, 1855, my father came to Madison, and two months later my uncle followed, so that it is a long time since these facts have been either thought of or discussed. I might add that Colonel McKim was a bachelor, and that his farm was sold to Mr. Ansley when he left. I think the title was the usual Southern 'colonel.'

"I have obtained the above facts from my father, J. H. D. Baker, his sister, Elizabeth Baker Fox, and her husband, C. J. Fox, all of whom live in Madison now [1893, July 26th]."

Miss Baker adds: "I might say that it is only by common report that these people were slaves, but the very fact that they were brought here at that early date seems to point in that direction. All three of my informants are sure that, for a time at least, these negroes were actually held as slaves."

In regard to Dodgeville we have a story of emancipation rather than of slavery. It is thus told by Mrs. Sally Hopkins Maddin, widow of Henry Dodge Maddin, grandson of Governor Dodge:

"Governor Henry Dodge came to this Territory in 1827 and brought a number of slaves with him. On reaching this state he informed them of their freedom, but they still remained with him and worked for him. He built cabins for them on his farm known as

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20. In the first volume of "Wisconsin Reports" we find the name of Richard McKim of Iowa county. Probably he is the "Colonel" McKim of Miss Baker's narrative.

the 'Governor's Grove,' between Mineral Point and Dodgeville, and provided for them while he lived; and they, many of them, were buried on the farm.

"During the time he was United States senator he retained his residence on his farm, where his wife remained. During later life, his winters were spent with his son, Augustus Dodge of Burlington, Iowa, and his summers in Mineral Point, where he received weekly visits from his former slaves, and supplied their needs with money and provisions. Their descendants are widely scattered, some few in Mineral Point, but the majority in Illinois. He always paid his colored people's taxes, and, in short, exercised over them, during his entire life, the same care a good guardian gives his ward."

Supplementary to the narrative is an extract<sup>21</sup> from a letter by the late Morgan Lewis Martin to Augustus Caesar Dodge, 1883, May 25th. He has been writing of other members of the household, and adds:

"Nor can I forget the appearance of the negro slaves, who clung to your father's family even after they were given freedom, as dutiful children dependent for protection and daily wants upon a parent."

According to General Jones, a native, like Dodge, of Vincennes, Indiana, and for many years his acquaintance and friend, Dodge, before leaving Missouri, called together his negroes and promised freedom after five years' service to such of them as would go with him to his proposed new home. It is worthy of honorable mention here that Henry Dodge, when in the United States senate, voted in favor of the Wilmot Proviso, while his son, a member from Iowa, of the same body, voted against it.

We now come to the place where, doubtless, there were more instances of the holding of negroes in slavery than any where else in Wisconsin. This, however, is due to the fact that some of the army officers at Fort Crawford brought slaves thither and kept them there. By the census of 1836, there was reported one negro male slave in the family of Thomas Street, and one female in that of T. (J.?) H. Lockwood. Seventeen slaves are reported as being held in the fort.

To a great extent, no doubt, the fort was in practice, both at this time and later, a law unto itself. The most tragic story, in connection with our subject, is one told<sup>22</sup> by John H. Fonda. "At a general election," he says, "held on the 22nd day of September, 1845 I was elected to the office of coroner and constable for Crawford county. In the first office the duties that devolved on me were neither few nor pleas-

21. I make my transcript from the "Iowa Historical Record," October, 1889, vol. V., p. 356. Article: "Henry Dodge," by Rev. William Salter, pastor for fifty years and more of the Congregational church, Burlington, Iowa.

22. Wisconsin Historical Collections, volume V., page 277.

ant. The country being thinly settled, detection was easily avoided, and the penalties of the law hard to enforce; so evil-disposed persons, not having the fear of certain punishment before them, perpetrated deeds of violence with perfect impunity. I was once notified that a dead body was lying in the water, opposite Pig's Eye slough, and immediately proceeded to the spot, and, on taking it out, I recognized it as the body of a negro woman belonging to a certain Captain then in Fort Crawford. The body was cruelly cut and bruised; but THE person not appearing to recognize it a verdict of 'Found Dead,' was rendered, and I had the corpse buried. Soon after it came to light that the woman was whipped to death, and thrown into the river during the night; but no investigation was made, and the affair blew over." Surely on this occasion, Mr. Fonda magnified neither his office nor its duties.

Here we may call to our aid the reminiscences of ex-Judge Mills. This native of Bourbon county, Kentucky, became an abolitionist before he left his native state. There he was teacher in a Sunday school. Whatever may be said either in support or disparagement of the idea that the dogmatic basis of Christianity is to be found in a book rather than in an institution, it is certain that such a belief is likely to lead to attentive study of the book. Those who hold to such a creed will affirm, if consistent, that a book which contains a revelation from God should certainly be read by everybody, and everybody who can learn should be taught to read it. No exception can reasonably be made in the case of negroes, or even of slaves. To teach colored people, even though bondmen, to read the Bible was, therefore, one of the objects of said Sunday school. Naturally enough, this proceeding attracted the attention of slaveholders of the vicinity, and our poor little Sunday school was soon suppressed. Drawn by the name of Edward Beecher, young Mills came to Jacksonville, Illinois, to enter Illinois college. Therein, as a student, was Joseph, son of General J. M. Street, so often heard of in our early Wisconsin history, and thither the father—probably it was he—sent for some one who would come to Prairie du Chien as teacher. Mills responded to the call, and came thither about the middle of September, according to his recollection, 1834. He came on the steamboat *Warrior*, which had been so effectively employed two years before in the disgraceful battle of the Bad Axe. A fellow passenger, taken on board somewhere above Quincy, Illinois, was the wronged chief Black Hawk. He had been brought back from his enforced tour in the East, and was starting on his annual hunt. "But the world as he knew it in his youth had vanished forever, and oh how sad and dejected was that face once alit with the eye of an eagle.

"I was but a timid student," continues Judge Mills, "cast sudden-

ly among men who wore epaulettes upon their shoulders and silken sashes and sword belts around their waists. Here I found representatives of all nationalities herding together, savage and civilized; and a motley population, ring-streaked, speckled and spotted. No hotels then. There was but one large house to go to, one erected by the government, which had several rooms in it, some of which were occupied by the Indian agents and General Street and his family. The floors and passages [floors of the passages?] were occupied and covered by natives, large and small, dogs and children. It was growing dark, and never had I overlooked such a scene before. By the pale light of a lard-oil lamp I could discover full-blood and half-blood Indian faces, tangled and platted hair, black as a raven's wing, all stretched upon the floors, and the mosquitoes, fleas and bedbugs in thousands would satisfy any census bureau; and these connoisseurs of human blood were enjoying a barbecue. As I watched, my whole being, flesh and blood was curdled into one mass of disgust and shame when I saw a shriveled faced dame catch one of these blood swilled vampires and thrust it into her nursing's mouth.

"I remember the day and evening was unusually warm for the season of the year. The air, or what occupied its space, was close and stifling. In feeling my way along a labyrinth of passages, I suddenly opened a narrow door." Entering it, Mr. Mills found a "friend of his youth, from the same famous old town, Paris, Kentucky." This was Thomas Pendleton Burnett, whose name we have already heard in the report of the case of John Paul Jones against his former master. Mr. Burnett gave his friend "an introduction to General Street and his family. We spent a day or two in examining the ruins of the old fort and the stockade. \* \* \* The old town across the slough had no modern buildings in it except the trading emporium of Messrs, Roulette & Dousman. Wigwams, sheds and log huts were numerous, and occupied by the merriest people that ever danced to the extemporized fiddle made of cornsticks, or turned a hoe-cake on a long-handled gridiron; whose life overflowed with glee, fun and frolic, and French vivacity. Such were the primitive inhabitants of Prairie du Chien.

"I think it was Mr. Burnett who introduced me to Colonel Taylor and his wife. The family occupied a neat and comfortable frame building outside of the limits of the fort. But what a contrast was there between that family and every other home I had visited in the city! Mrs. Taylor was advanced in years. She did her own work. I could see her eyes were not a stranger to tears. She understood I had come to teach her children, little Dick and Bess. They were jovial as crickets, and they laughed and talked with me incessantly, but the father and mother were reticent and lonely as if oppressed by a deep

family affliction, not to be disclosed to a stranger." This state of feeling Mr. Mills has no doubt, was caused by the marriage of their daughter to Jefferson Davis.

One case of slaveholding at the fort Mr. Mills distinctly remembers. It was by a Lieutenant Harris, an intemperate man who was afterward cashiered. When he left Prairie du Chien he took his negro with him. The slave, Judge Mills thinks, was as glad to go as was his master. Apparently not long afterward, but whether or not on the journey from Prairie du Chien I do not know, Harris was drowned in Rock river, probably within the bounds of Illinois.

Very soon the question of slavery was presented to Mr. Mills in a peculiar form. To serve a superintendent of an Indian school near Prairie du Chien there came thither in 1833 (September 7th) Rev. David Lowrey. He came from Nashville, Tennessee. This movement he calls "leaving his native land." Writing to "The Revivalist" of Nashville, he seems to have been glad to say: "This is a free land. No slavery can be admitted here." But when he set about organizing a church, as he soon did, he found that questions involving slavery were by no means confined to the South. One of those who proposed entering into the new church was Andrew Cochrane. He had come from Missouri to superintend the erection of the new fort or, at least, the putting up of the stone work thereof. He held slaves in Missouri. Young Mills, also a prospective member of the proposed organization, was so decided an abolitionist that he was reluctant to enter into covenant with a church that was to have a slaveholder in its fellowship. However, his objections were finally overcome, probably because Cochrane was to return soon to Missouri.

Another circumstance concerning slavery at Prairie du Chien Judge Mills remembers well. Moreover, it is mentioned by Rev. Alfred Brunson in his autobiography. To him it was, no doubt, a matter of intense mortification, as it seems to have been one of keen delight to his enemies. There was in the fort a slave who was known by the name of his master, a Captain Day. This negro had been among the Ojibways and had learned their language. Mr. Brunson was interested in mission work among these Indians, and thought that Day would prove to be an efficient helper in that service. Accordingly he raised \$1,200, Judge Mills says, and bought the proposed missionary. But Day proved to be different from what Mr. Brunson had supposed that he was or he underwent, for the worse, a change in character. So, from the missionary point of view, the investment proved to be total loss.<sup>23</sup>

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23. Some years afterward, when Judge Mills was on a journey from Fort Snelling or thereabout to the head of Lake Superior, he saw this colored man Day



After his removal to Grant county, which was in 1843, Judge Mills was actively instrumental in legally terminating one instance of the relation of master and slave. There was a man named Graves who lived at or near Hurricane Grove, a hamlet in the town of Lancaster. Graves, who was a Christian man, desired not only that his slave be free but that he have legal evidence that such was the fact. Accordingly a friendly suit was brought in order that the validity of the manumission papers might be without possibility of doubt. These papers were for the protection of the negro in case of his proposed return to Missouri.

Another case of negro slavery at Green Bay remains to be mentioned. This was of a girl named Maria, a full-blooded negro, who was brought from Washington, D. C., by Governor John S. Horner. He is remembered in our Wisconsin history as the man who attempted to continue here the legal existence of the Territory of Michigan after the state of Michigan had been admitted to the Union. He and his wife were from Virginia. About 1837 or 1838, so Dr. Porter, my informant, thought<sup>24</sup> they brought the slave girl with them to Green Bay. Rev. Stephen Peet, then of Green Bay, later of the First Presbyterian church, Milwaukee, told Maria that she was free. Thereupon she left her former master and mistress, who were thereby made so angry that they ceased to attend the church of which Mr. Peet was pastor. Maria afterward served in the family of my informant, who was Mr. Peet's successor at Green Bay. Maria was married in 1845. Years afterward, when she had become a widow, she again met Mr. and Mrs. Porter, and announced to them her great sorrow in the plaintive wail of the Bethlehem widow of three thousand years ago, "Call me Mara, for the Almighty hath dealt very bitterly with me." Once more she served in the family of Dr. Porter, when he was army chaplain at Fort D. A. Russell, Wyoming. This Maria Grant died in 1892, perhaps the last of the sixty or more who have been held as slaves here in Wisconsin.

In Beetown and about six miles west of Lancaster is a place to which has been given, in late years, the name Flora Fountain. But its popular designation was, and perhaps is, Slabtown. At its beginning the settlement was composed in large proportion of colored people. Among these were Isaac and Charles Shepherd, of whom it

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who had taken to himself an Indian wife and, from a business point of view, was making good use of his freedom.

24. "Early in April, 1836, Acting Governor Horner had moved to Wisconsin, expecting to hold the same relation to Wisconsin that he had held to Michigan."—Alfred Brunson, D. D., "Wisconsin Historical Collections," Vol. II., p. 306.

I dare not say that Maria was brought at the time mentioned by Dr. Brunson. When Mr. and Mrs. Horner brought the slave girl, they came, Dr. Porter told me, by way of St. Louis.

was currently reported that they were brought from Virginia as slaves by William Horner, and that they refused to return. Different from this, however, are the impressions of Rev. Samuel Eaton who, for forty years and more, was virtually bishop of Lancaster.<sup>25</sup> He thinks that these negroes had been free in Virginia before they were brought to Wisconsin. So that, according to this understanding, we have here no story of either slavery or emancipation.

Very manifest has been made to me in the preparation of this narrative the influence of anti-slavery men from the South, especially from that part of it that was once the slaveholding portion of the West. Into this Southern or South-and-Western abolitionism, we do not need to take a very deep look to find therein the kind of manhood produced in our middle Atlantic states, and farther west, out of Scotch-Irish and kindred blood. Hearty, hospitable, faithful in friendship, determined, and sometimes vengeful, in enmity, reverent toward God but inclined to hold themselves on equality with all who are less than He; commonly orthodox if anything—and usually they are something—in religion, often narrow-minded and almost always prejudiced against something or somebody are (or were) these people. And perhaps we may say about the same things of many of their descendants. Terrible fighters were the pioneers of this stock, altogether too ready with guns and fists. Allied in some respects to the Puritans, they are not to be confounded with them; and it is not fair to credit the sons and the influence of New England with what these men have done. As Woodrow Wilson has pointed out, there went into the making of this nation somewhat that came to it by way neither of Massachusetts bay nor of James river. Upon men of this class fell the duty, for the most part, of contending, face to face, with whatever there was here of actual slavery. These in Wisconsin and elsewhere were as ready as any for the great conflict of 1861-1865, and none fought more sturdily and successfully. If, to our shame and sorrow, slave blood has been drawn by the lash upon Wisconsin soil, and has fallen thereon even in murder, we remember with solemn pride and increasing honor that the blood of our men, of all races, fell upon slave soil and helped to make it free, as we believe, forever.

JOHN NELSON DAVIDSON.

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25. One of his sons, Edward Dwight Eaton, is president of Beloit College.















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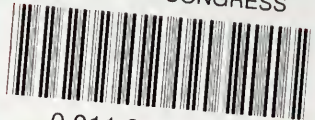
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